

Amendment No. 1 to HB0094

McManus
Signature of Sponsor

AMEND Senate Bill No. 96*

House Bill No. 94

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) For purposes of this section:

(1) "Cancel" means to terminate a homeowner's insurance policy prior to the expiration of the policy period;

(2) "Claim":

(A) Means an oral, written, or electronic submission for payment filed by an insured, on behalf of the insured, or by a third party whereby an insurance company accepts the submission for payment in accordance with the insurance company's reasonable submission standards; and

(B) Does not mean an inquiry by an insured or by an insurance producer on behalf of an insured;

(3) "Inquiry" means any communication to an insurance company by an insured, or by an insurance producer on behalf of an insured, regarding general terms and conditions of a homeowner's insurance policy, including a communication concerning whether a homeowner's insurance policy provides coverage for a type of event or the process for filing a claim; and

(4) "Insurance company" has the same meaning as defined in § 56-1-102.

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(b) No insurance company shall increase a premium or cancel a homeowner's insurance policy solely on the basis of an inquiry or inquiries by an insured regarding the insured's homeowner's insurance policy or a loss under the policy.

(c) If a communication by an insured to an insurance company necessitates an investigation by the insurance company, the insurance company, in its sole discretion, may consider the communication to be either a claim or an inquiry.

(d) A violation of this section shall be considered an unfair trade practice under title 56, chapter 8.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.